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**From:** Bryan, David [Bryan.David@epa.gov]  
**Sent:** 3/2/2022 3:06:56 PM  
**To:** Bednar, Candace [Bednar.Candace@epa.gov]

**From:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>  
**Sent:** Wednesday, March 2, 2022 8:57 AM  
**To:** Bryan, David <Bryan.David@epa.gov>  
**Subject:** RE: FW: Interview Request - Treated Seeds & AltEn

Hi David,

Here's our response feel free to use.

At this point in time, EPA's Office of Resource Conservation and Recovery is not considering any new regulations specifically for the disposal of treated seeds.

When materials are discarded, they are considered solid wastes, and the regulation of waste disposal is subject to applicable federal and state regulations. Non-hazardous solid waste disposal is generally regulated at the state level. Specific criteria must be met to determine whether a solid waste is a hazardous waste under the Resource Conservation and Recovery Act. EPA does not have regulations specifically for the disposal of treated seeds; however, the state regulations of the disposal of treated seed depends on several factors, including which pesticides the seed was treated with, how it is being disposed of, and if the discarded seed meets the definition of hazardous waste. If seeds were treated with pesticides, under Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), determining whether a disposal exemption applies examination of the pesticide use to treat the seeds and the applicable label requirements and claims. If it is considered hazardous waste, it must be managed under the RCRA hazardous waste regulations when disposed of. The person who makes the decision to discard a product is the generator of the waste and responsible for the proper identification and management of that waste.

**For more information about hazardous waste requirements, please visit:**

<https://www.epa.gov/hw/learn-basics-hazardous-waste#hwid>

<https://www.epa.gov/hwgenerators/managing-your-hazardous-waste-guide-small-businesses>

**For information about pesticide labeling requirements for disposal of treated seeds, please visit:**

<https://www.epa.gov/pesticide-registration/label-review-manual> and [https://www.epa.gov/sites/default/files/2021-02/documents/full-lrm\\_2-22-21.pdf](https://www.epa.gov/sites/default/files/2021-02/documents/full-lrm_2-22-21.pdf)

